

Article - Health - General

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§24-1001.

(a) In this subtitle the following words have the meanings indicated.

(b) “Assisted living facility” means a residential facility or facility-based program that:

- (1) Meets the definition in § 19-1801 of this article; and
- (2) Is licensed by the Department.

(c) “Facility” means an assisted living facility that is wholly owned by and operated under the authority of:

- (1) A county;
- (2) A municipal corporation; or
- (3) A nonprofit organization.

(d) “Nonprofit organization” means:

(1) A bona fide religious organization, no part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of a facility, the purchase of equipment to be used in a facility, or the expansion of a facility; or

(2) An organization:

(i) That is chartered as a nonprofit corporation and classified by the Internal Revenue Service as nonprofit; and

(ii) No part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of a facility, the purchase of equipment to be used in a facility, or the expansion of a facility.

(e) “Wholly owned” includes leased, if:

(1) (i) The lease is for a minimum term of 30 years following project completion; or

(ii) The lease agreement extends the right of purchase to the lessee; and

(2) The lessor consents to the recording in the land records of the county or Baltimore City in which the facility is located, of a notice of the State's right of recovery as provided under § 24-1006 of this subtitle.

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